

REMARKS/ARGUMENTS

Applicant responds to the Office Action mailed on November 18, 2003.

Preliminarily, responsive to the Notice of Draftsman's Patent Drawing Review, the applicant encloses herewith formal drawings which avoid the noted ground of objection.

The applicant has also amended claims 6 and 7 in a manner which is respectfully submitted to overcome the objection to claim 6 and the rejection of claims 6-8 under 35 U.S.C. §112, second paragraph.

Substantively, claims 6-8 stand rejected on grounds of anticipation by prior art Figures 1 and 2. Reconsideration is requested in view of the following remarks.

Ultimately, of course, the claim language and the claim language alone must be utilized to analyze whether an invention distinguishes over the prior art. However, in order to properly orient the Examiner, it will be worthwhile to point out non-limiting examples of a structural distinctions between prior art Figure 2 of the present invention and Figure 6 of the instant application. Thus, in prior art Figure 2, the radially extending spring retaining part 17b contacts the outer circumference of the spring 12. In Figure 6, a corresponding radially extending part 22a is disposed on the inside of the spring 50 and therefore, can only contact the inner circumference of the spring 50. One can readily and similarly contrast the part 18b in Figure 2, versus the part 21c in Figure 6, as well as the part 19b in Figure 2, as compared to the part 21c' in Figure 6.

Turning to the rejection of claim 6 on grounds of anticipation by prior art Figures 1 and 2, applicant preliminarily points out that it is established in the patent law, that:

“Anticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim. [citation omitted] A prior disclosure that ‘almost’ meets that standard may render the claim invalid under §103; it does not ‘anticipate.’”. *Connell v. Sears Roebuck & Company*, 220 USPQ 193, 198 (Fed. Cir. 1983)

In accordance with claim 6, the second spring support member has “a circumferential unit extending from an inner circumference of the ring-shaped plate portion toward the cover member in the axial direction of the piston for being fixed with an inner circumference of the first spring” (emphasis added). The third spring support member has a circumferential unit extending from an inner circumference of the ring-shaped plate portion of the lamination in an axial direction of the piston for being fixed with an inner surface of the second spring.”

In the Office Action (at page 3), it is contended that prior art Figures 1 and 2 have a circumferential unit 18b “extending from an inner circumference of the ring-shaped plate portion 18a

toward the cover member 10 in the axial direction of the piston 8 for being fixed with an inner circumference of the first spring 12". It is simply not so that the circumferential unit 18b is situated so as that can be fixed with an inner circumference of the first spring 12. 18b can only contact the outer circumference of the first spring 12. The same remarks are applicable to the plate portion 19a and the circumferential unit 19b, which can only be fixed with the outer circumference of the second spring 11. Respectfully, the Office Action is misstating what is disclosed in prior art Figures 1 and 2. The difference between the present invention and the prior art which the Examiner is overlooking, functionally alters the ability of the present invention to deal with the problems in the prior art as described in the introductory pages of the present invention. This can be more fully appreciated from the following further remarks.

The object of Applicant's claimed invention is to provide a piston supporting structure for a linear compressor, wherein the spring support members 21, 21' respectively fixed on both sides of the piston are formed in order to prevent each end of the first and second springs supported on both sides of the piston from being moved in a radial direction thereof, while the spring support members 22, 22' respectively fixed on the cover and the inner lamination are formed in order to allow each end of the first and second springs respectively supported on both the cover and the inner lamination to be moved in a radial direction thereof, and thus to prevent a radial eccentric deformation of the first and second springs, as shown in Fig. 4, which may cause abrasion between the friction-producing portions of the compressor.

Therefore, the spring support structure of a linear compressor comprises: a first spring support member 22 fixed on the cover 10 and formed of a ring shaped plate on which an end of the first spring 50 is supported to be movable in a radial direction of the first spring 50; a second spring support member 21 fixed on one side of the piston 8, the second spring support member 21 having a ring shaped plate portion 21b on which an end of the first spring 50 is supported, and a circumferential unit 21c extended from an inner circumference of the ring shaped plate portion 21b in an axial direction of the piston 8 for being fixed with an inner circumference of the first spring 50; a third spring support member 21' fixed on an opposite side of the piston 8 on which the second spring support member 21 is fixed, the third spring support member 21' having a ring shaped plate portion 21b' on which an end of the second spring 60 is supported and a circumferential unit 21c' extended from an inner circumference of the ring shaped plate portion 21b' in an axial direction of the piston 8 for being fixed with an inner circumference of the second spring 60; and a fourth spring support member 22' fixed on the inner lamination 6 and formed of a ring shaped plate portion 22b' on which an end of the second spring 60 is supported to be movable in a radial direction of the second spring 60.

On the contrary, Prior art Figs. 1-2 do not teach the feature that the ends of the first and second springs are respectively movably supported by spring support members respectively fixed on the cover and the inner lamination. As shown in Figs. 1-2 and described in lines 18-23 on page 4 of the PCT International Publication No. WO 01/50020 A1, one end portion of the outer spring 12 is fixedly connected to the first supporting plate 17 fixed on the cover 10, and one end of the inner spring 11 is fixedly connected to the fourth supporting plate 20 fixed on the inner lamination 6.

In addition, Prior art Figs. 1-2 do not teach the feature that the ends of the first and second springs are respectively fixed by spring support members respectively fixed on both sides of the piston. As shown in Figs. 1-2, another end portion of the outer spring 12 is loosely supported by the second supporting plate 18 fixed on one side of the piston 8, and another end portion of the inner spring 11 is loosely supported by the second supporting plate 20 fixed on an opposite side of the piston 8 on which the second supporting plate 18 is fixed.

For the reasons noted above, it is incorrect that claim 6 is anticipated by the prior art of record. The remaining claims in the application incorporate the limitations of claim 6 and impose other limitations thereon, which distances them even more apart from the prior art of record.

Accordingly, all of the claims in the application are neither anticipated nor rendered obvious by the prior art of record.

Therefore, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 18, 2004
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